

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Ronald Davidson,
Plaintiff,
-against-
New York City Health and Hospitals
Corporation,
Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 04/19/2023

1:22-cv-00764 (RA) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Pending before the Court is a motion for the Court to take judicial notice in this case. (ECF No. 15.) For the reasons stated below, Plaintiff's motion is DENIED WITHOUT PREJUDICE.

Plaintiff, proceeding *pro se*, asks the Court to take judicial notice of another case brought by Plaintiff in this District, *Davidson v. Office of Court Administration et al.*, No. 22-CV-08936 (PGG) (VF). Pursuant to Rule 201 of the Federal Rules of Evidence, a court may take judicial notice of certain facts "at any stage of the proceeding." Fed. R. Evid. 201(d). But the adverse party "is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed." *See id.* 201(e).

In the present case, Plaintiff's request for judicial notice is premature. No defendant has yet appeared in the case. If Plaintiff desires for the Court to take judicial notice of certain information after the defendant appears, Plaintiff may request it, and the defendant thereafter will be provided with an opportunity to respond.

SO ORDERED.

Dated: New York, New York
 April 19, 2023

Stewart D. Aaron

STEWART D. AARON
United States Magistrate Judge